

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62961 of 2021

Arising Out of PS. Case No.-265 Year-2021 Thana- BEUR District- Patna

AKASH BASHISHTHA Son of Binod Kumar Bashishtha Resident of New Area Nathchak, Barh, Police Station- Barh, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manish Kumar No2

For the Opposite Party/s : Mr.Akhileshwar Dayal

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 11-04-2022 Heard learned counsel for the petitioner and the State.

Petitioner seeks regular bail in a case registered for the offence punishable under Section 392 of the Indian Penal Code.

Learned counsel appearing for the petitioner submits that petitioner is not named in the FIR. The name of petitioner has transpired in this case during the course of investigation in the confessional statement of co-accused, Hiteshwar. No incriminating article has been recovered from the possession of the petitioner and till date the petitioner has not been put on Test Identification Parade. It is next submitted that mobile alleged to have been recovered from the possession of the petitioner is not the stolen one as description of mobile given in the FIR does not tally with the mobile recovered from the possession of the



petitioner and petitioner has valid receipt in support of purchase of mobile (Annexure-2). Petitioner is in custody since 01.08.2021 and investigation in this case is complete.

Learned counsel appearing for the State opposes the prayer for bail.

Considering the facts of the case and the period of custody of the petitioner, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate-III, Patna in connection with Beur PS case No.265/2021.

(Prabhat Kumar Singh, J)

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